

1 MELINDA HAAG (CABN 132612)
United States Attorney

2 MIRANDA KANE (CABN 150630)
3 Chief, Criminal Division

4 SUSAN KNIGHT (CSBN 209013)
Assistant United States Attorney

5 150 Almaden Blvd., Suite 900
6 San Jose, California 95113
7 Telephone: (408) 535-5061
8 FAX: (408) 535-5066
E-Mail: Susan.Knight@usdoj.gov

9 Attorneys for Plaintiff

FILED

OCT - 9 2012

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

10
11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN JOSE DIVISION

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 VERNINA ADAMS,

18 Defendant.

No. CR 12-00584 LHK

STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME UNDER THE
SPEEDY TRIAL ACT

SAN JOSE VENUE

19
20 On October 3, 2012, the undersigned parties appeared before the Court for the defendant's
21 initial appearance. At the appearance, the Court modified the defendant's release conditions and
22 scheduled a status hearing before the Honorable Lucy H. Koh on November 28, 2012 at 9:00
23 a.m. Richard Weese, who represented the defendant at the hearing, informed the Court that Ryan
24 McHugh will be taking over the case from him. The Court also granted the parties
25 request for an exclusion of time under the Speedy Trial Act from October 3, 2012 through
26 November 28, 2012 in order for the government to provide additional discovery to Mr. McHugh
27 and afford him to review the case. The parties agreed and stipulated that an exclusion of time is
28 appropriate based on the defendant's need for continuity and effective preparation of counsel. 18

STIPULATION AND [PROPOSED] ORDER
No. CR 12-00584 LHK

1 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

2 SO STIPULATED:

MELINDA HAAG
United States Attorney

3
4 DATED: 10/5/12

/s/
SUSAN KNIGHT
Assistant United States Attorney

5
6 DATED: 10/5/12

/s/
RICHARD WEESE
Counsel for Ms. Adams

7
8
9 **ORDER**

10 Accordingly, for good cause shown, the Court HEREBY ORDERS that time be excluded
11 under the Speedy Trial Act from October 3, 2012 through November 28, 2012. The Court finds,
12 based on the aforementioned reasons, that the ends of justice served by granting the requested
13 continuance outweigh the best interest of the public and the defendant in a speedy trial. The
14 failure to grant the requested continuance would deny defense counsel reasonable time necessary
15 for effective preparation, taking into account the exercise of due diligence, and would result in a
16 miscarriage of justice. The Court therefore concludes that this exclusion of time should be made
17 under 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

18 SO ORDERED.

19
20 DATED: 10/9/12


HOWARD R. LLOYD
United States Magistrate Judge